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Attorney for Defendant
EBONY L. PIPKINS

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,) No. Cr. S 05-122 GEB
(
Plaintiff,) **STIPULATION AND [lodged] ORDER TO**
(
v.) **REDUCE SENTENCE PURSUANT TO 18**
(
EBONY L. PIPKINS,) **U.S.C. § 3582(c)(2)**
(
Defendant.)
(
) **RETROACTIVE CRACK COCAINE REDUCTION**
(
) **CASE**
(
)
(
) Judge: Honorable Garland E.
(
) Burrell, Jr.

Defendant, EBONY L. PIPKINS, by and through her attorney, Assistant Federal Defender David M. Porter, and plaintiff, UNITED STATES OF AMERICA, by and through its counsel, First Assistant U.S. Attorney Phillip A. Talbert, hereby stipulate as follows:

1. Pursuant to 18 U.S.C. § 3582(c)(2), this court may reduce the term of imprisonment in the case of a defendant who has been sentenced to a term of imprisonment based on a sentencing range that has subsequently been lowered by the Sentencing Commission pursuant to 28 U.S.C. § 994(o);

2. The sentencing range applicable to Ms. Pipkins was subsequently lowered by the United States Sentencing Commission in Amendment 750;

3. Accordingly, Ms. Pipkin's total offense level has been reduced from 31 to 27, the new sentencing range is 100 to 125 months, and the parties agree that an appropriate sentence in light of all the circumstances and taking into consideration the departure she received at the original sentencing would be 67 months;

4. Ms. Pipkins merits a reduction in her sentence based on the factors listed in 18 U.S.C. § 3553(a), as well as considerations of public safety and Mr. Pipkin's positive post-sentencing conduct;

5. Accordingly, the parties request the court enter the order lodged herewith reducing Ms. Pipkin's term of imprisonment to 67 months.

Dated: October 26, 2011

Respectfully submitted,

BENJAMIN WAGNER
United States Attorney

DANIEL J. BRODERICK
Federal Defender

/s/ Phillip A. Talbert
PHILLIP A. TALBERT
First Assistant U.S. Attorney

/s/ David M. Porter
DAVID M. PORTER
Assistant Federal Defender

ORDER

This matter came before the Court on the stipulated motion of the parties for reduction of sentence pursuant to 18 U.S.C. § 3582(c) (2).

The parties agree, and the Court finds, that Ms. Pipkins is entitled to the benefit of the retroactive amendment reducing crack cocaine penalties, which reduces the applicable offense level from 31 to 27.

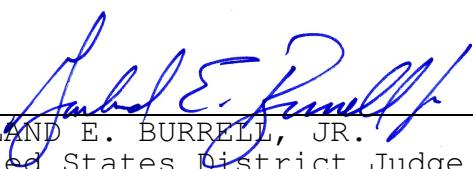
STIPULATION AND ORDER TO REDUCE SENTENCE

1 IT IS HEREBY ORDERED that the term of imprisonment imposed on June
2 11, 2008 is reduced to 67 months.

3 IT IS FURTHER ORDERED that all other terms and provisions of the
4 original judgment remain in effect. The Clerk of the Court shall
5 prepare an Amended Judgment.

6 Unless otherwise ordered, Ms. Pipkins shall report to the United
7 States Probation office closest to the release destination within
8 seventy-two hours after release.

9 Dated: October 27, 2011

10 
11 GARLAND E. BURRELL, JR.
12 United States District Judge

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28 STIPULATION AND ORDER TO REDUCE SENTENCE